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Attorneys for Defendants
MIPO TECHNOLOGY LIMITED and MIPO SCIENCE & TECHNOLOGY CO., LTD.,
GUANGZHOU

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**HEWLETT-PACKARD COMPANY, a
Delaware Corporation, and HEWLETT-
PACKARD DEVELOPMENT COMPANY, L.P.
a Texas Limited Partnership,
Plaintiffs,**

v.

**MICROJET TECHNOLOGY CO. LTD., a
Taiwanese corporation, ASIA PACIFIC
MICROSYSTEMS, INC., a Taiwanese
Corporation, MIPO TECHNOLOGY
LIMITED, a Hong Kong Corporation, MIPO
SCIENCE & TECHNOLOGY CO., LTD.,
GUANGZHOU, a Chinese Corporation,
MEXTEC GROUP INC. d/b/a MIPO
AMERICA LTD., a Florida Corporation,
SINOTIME TECHNOLOGIES, INC. d/b/a ALL
COLORS, a Florida Corporation, and PTC
HOLDINGS LIMITED, a Hong Kong
Corporation,
Defendant(s).**

Case No. 10-02175-HRL

**NOTICE OF MOTION AND JOINT
MOTION TO CONTINUE CASE
MANAGEMENT CONFERENCE
PURSUANT TO CIVIL
L.R. 7-1(b), 7-2, AND 16-2(d);
MEMORANDUM OF POINTS AND
AUTHORITIES**

Date: TBD

PLEASE TAKE NOTICE that Plaintiffs Hewlett Packard Company and Hewlett Packard
Development Company, L.P. ("Hewlett Packard") and Defendants, Asia Pacific Microsystems,

1 Inc., Mipo Technology Limited, Mipo Science & Technology Co., Ltd., Guangzhou, Mextec
 2 Group Inc. d/b/a Mipo America Ltd., Sinotime Technologies, Inc. d/b/a All Colors (collectively
 3 “Parties”) move the court to continue the Case Management Conference scheduled for August 3,
 4 2010, at 1:30p.m. for a period of six (6) weeks and to extend all dates set forth in its Order
 5 Setting Initial Case Management Conference accordingly. Pursuant to Civil L.R. 7-1(b) and 16-
 6 2(d), the Parties request the court to decide this motion on the papers without oral argument.

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 8 This motion is made on the grounds that (i) the Mipo Defendants have filed an
 9 unopposed motion to stay (Docket Entry No. 15);¹ (ii) the Mipo Defendants’ Answer is not due
 10 until August 23, 2010; and (iii) Plaintiffs are diligently attempting to effectuate service on the
 11 following parties which are in the process of being served but have not yet been served: Microjet
 12 Technology Co. Ltd., and PTC Holdings Limited. These entities are located in Taiwan and
 13 Hong Kong, respectively. Accordingly, the undersigned Parties seek relief from the current Case
 14 Management Conference schedule as set forth in this Court’s May 20, 2010 Order. This motion
 15 is based upon this Notice of Motion and Joint Motion, the following Memorandum of Points and
 16 Authorities, all the pleadings, records, and files in this action, matters of which the Court may
 17 take judicial notice, and on such other evidence and argument as may be presented at any hearing
 18 on this motion.
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22 **STATEMENT OF THE ISSUES TO BE DECIDED**

23 Whether this Court should continue the Case Management Conference scheduled for
 24 August 3, 2010 at 1:30 p.m., and to extend all dates set forth in its Order Setting Initial Case
 25 Management Conference.
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¹ Defendant Asia Pacific Microsystems, Inc. is also planning to file a motion to stay for the same reasons stated in the Mipo Defendants’ motion to stay.

RELEVANT FACTS; MEMORANDUM OF POINTS AND AUTHORITIES

The Parties seek to continue the Case Management Conference set by the court in its Order Setting Initial and ADR Deadlines (Docket Entry No. 7) on the grounds that (i) Mipo Defendants have filed an unopposed motion to stay (Docket Entry No. 15); (ii) the Mipo Defendants' Answer is not due until August 23, 2010; and (iii) Plaintiffs are diligently attempting to effectuate service on the following parties which are in the process of being served but have not yet been served: Microjet Technology Co. Ltd. (Taiwan), and PTC Holdings Limited (Hong Kong). Additionally, the Parties have conferred regarding the ADR process as required by the May 20, 2010 Order. The Parties were not able to reach an agreement concerning the process and have filed the requisite Notice of Need for ADR Phone Conference, but anticipate that the additional time requested herein will allow the parties ample time to reach agreement with out the need for Court intervention.

In accord, the undersigned move the court for the following deadlines:

Event	Old Date	Proposed Date
Last day to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan	7/13/2010	8/24/2010
Last day to file ADR Certification signed by Parties and Counsel (form available at http://www.cand.uscourts.gov)	7/13/2010	8/24/2010
Last day to file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference (form available at http://www.cand.uscourts.gov)	7/13/2010	8/24/2010
Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at http://www.cand.uscourts.gov)	7/27/2010	9/7/2010

Event	Old Date	Proposed Date
INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 4, 5th Floor, SJ at 2:30 PM	8/3/2010	9/14/2010

CONCLUSION

For the aforementioned reasons, this Court should grant the undersigned Parties' motion to continue the Case Management Conference scheduled for August 3, 2010 at 1:30 p.m., and to extend all dates set forth in its Order Setting Initial Case Management Conference.

Dated: July 13, 2010

By: /s/ John P. Fry

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HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.

CERTIFICATE OF SERVICE

I am employed at Morris, Manning & Martin, LLP in Atlanta, Georgia. I am over the age of 18 years, and not a party to the within action. My business address is: 3343 Peachtree Road, N.E., Atlanta, Georgia 30326.

I hereby certify that on July 13, 2010, I electronically filed the foregoing NOTICE OF MOTION AND JOINT MOTION TO CONTINUE CASE MANAGEMENT CONFERENCE PURSUANT TO CIVIL L.R. 7-1(b), 7-2, AND 16-2(d); MEMORANDUM OF POINTS AND AUTHORITIES with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to the following:

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Executed on 13th day of July, 2010, at Atlanta, Georgia.

By: /s/ John P. Fry

John P. Fry